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VIA ELECTRONIC DELIVERY

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Room TWA325
Washington, DC 20554

**Re: Notice of *Ex Parte* Presentation
ET Docket Nos. 04-186, 02-380**

Dear Ms. Dortch:

On June 15, 2009, Joseph M. Sandri, Jr., Senior Vice President of Government and Regulatory Affairs for FiberTower Corporation (“FiberTower”); J.D. Derderian, consultant to FiberTower; and Michele C. Farquhar of Hogan & Hartson, LLP, Special Counsel to FiberTower and the Rural Telecommunications Group, Inc., met with Paul Murray, interim legal advisor to Acting FCC Chairman Copps.

During the meeting, the representatives discussed their petition for reconsideration, reply to oppositions, and cover letter filed in the rural broadband proceeding on March 25, 2009, along with the attached slides and previously filed materials regarding the Canadian Remote Rural Broadband System model. The parties also urged the Commission to support Congress’s and the Administration’s broadband stimulus efforts and address the critical shortage of “middle mile” broadband – particularly in unserved and underserved areas, including rural areas – by expanding the amount of licensed spectrum that can be used for wireless backhaul services.

Specifically, the representatives noted the benefits of licensed use of the TV Bands White Spaces, including the exceptional propagation features of the band (which are ideal for lower-cost backhaul over much longer distances and offer significant cost savings compared to other spectrum bands), the promotion of build-out in rural areas, and the enhanced protection of incumbents through greater certainty and accountability, as well as the off-the-shelf availability of fixed point-to-point backhaul equipment and the speed with which this equipment could be deployed. In addition, we noted the widespread availability of vacant TV Bands White Spaces

channels in rural areas (15 to 45 vacant channels in most underserved markets), and the ongoing use of these frequencies for Broadcast Auxiliary Services point-to-point links, some of which are 100 miles or more (which has facilitated the availability of backhaul equipment in the TV Bands).

Pursuant to Section 1.1206 of the Commission's rules, this letter is being filed via ECFS with your office.

Respectfully submitted,

/s/ Michele C. Farquhar

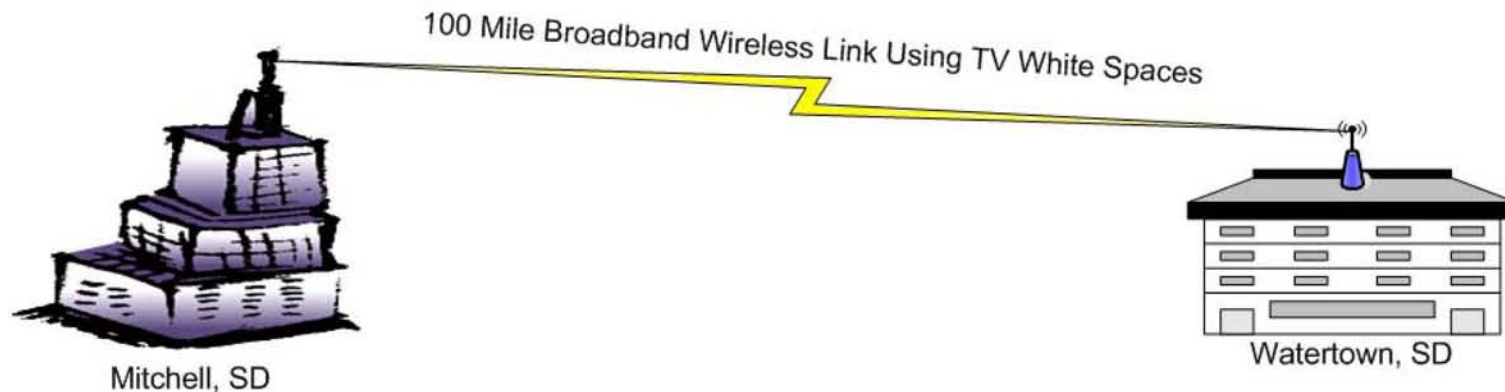
Michele C. Farquhar
Counsel to Sprint Nextel Corporation
Special Counsel to FiberTower Corporation
and Rural Telecommunications Group, Inc.

cc: Paul Murray

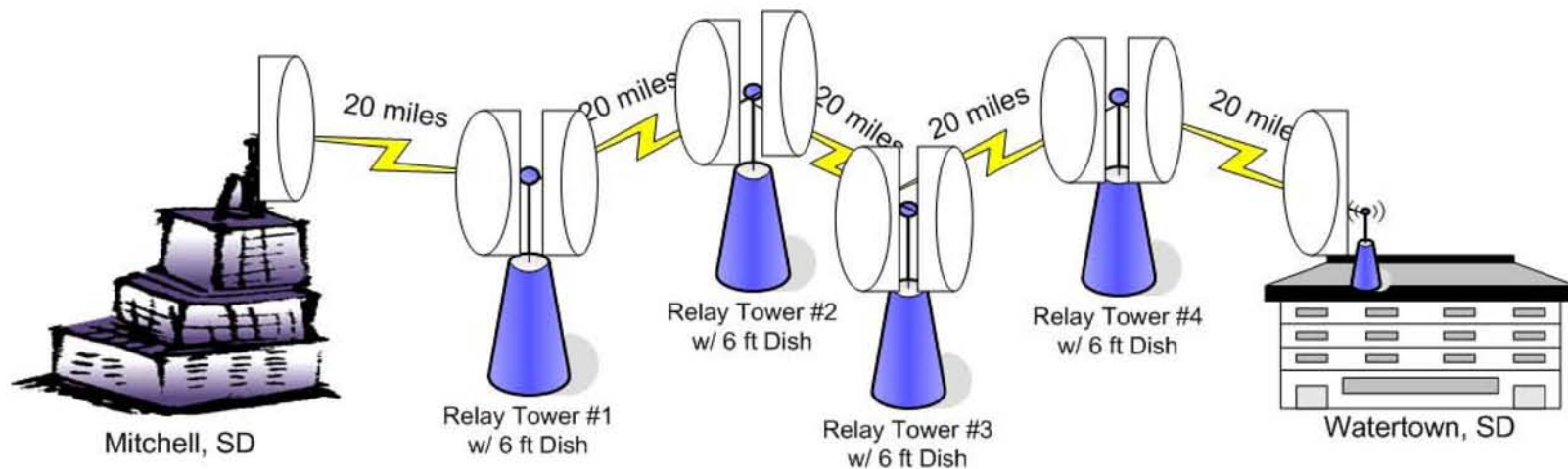
BAS Fixed wireless link (WPNI810) – 80.5 miles



100 Mile broadband connection cost comparison



100 Miles using TV White Spaces (450-698 MHz): Small lightweight grill-style antenna fits on building/tower. Cost <\$100,000-200,000



6 GHz or 3.65 GHz . Total cost: >\$3million. Fiber Optic costs even more!

3.65 – 3.7 GHz Coverage: Perforated with “Holes”

“Lightly Licensed” Fails to Meet Government and Commercial SLAs



Small dark gray circles = Federal Government stations
Large light gray circles = Grandfathered FSS stations
Not displayed, Guam FSS stations

FIBERTOWER CONFIDENTIAL

Federal Communications Commis9
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Issues

- Recent FCC order allows low powered fixed systems
- FCC action needed for higher powered systems
 - 4 of 5 FCC Commissioners issued statements supporting higher powered systems for rural backhaul
- Technical Agreement exists that protects all incumbents
 - 2nd “Vacant” Adjacent Channel
- Supporters: Rural Telecom Group, Sprint, Comptel, etc.
- Others who seek to use the TV White Spaces for mobile unlicensed worried that allowing licensed use opens the door for big auctions
 - Auctions not required
 - Abundant spectrum available in the rural areas
 - Leave room for unlicensed
 - Solution: Limit high powered fixed service on a link-by-link basis to specific vacant channels.
 - Canada already does this. It works!

TV White Space Availability

